

UNITED STATES DISTRICT COURT  
for the  
Eastern District of California

**FILED**

MAY 02 2025

CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY \_\_\_\_\_  
DEPUTY CLERK

UNITED STATES OF AMERICA,

v.

PRESTON NELSON-KESTNER,

Case No. **1:25-mj-00044-EPG**

**ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: **U.S. DISTRICT COURT, 2500 Tulare Street, Fresno, California**

*Place*

**before U.S. MAGISTRATE JUDGE Erica P. Grosjean in Courtroom 10 (unless another courtroom is designated)**

on **MAY 15, 2025, at 2:00 PM**

*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance and Compliance Bond, if ordered.

(Copies to: Defendant (through Pretrial) PRETRIAL SERVICES US ATTORNEY US MARSHAL)

NELSON-KESTNER, Preston  
DOC. NO. 1:25-MJ-00044-EPG

### ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☒ (6) The defendant is placed in the custody of:

Name of person or organization Jason Allen Culverson

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: 

CUSTODIAN

- ☒ (7) The defendant must:
- ☒ (a) report on a regular basis to the following agency:  
Pretrial Services and comply with their rules and regulations;
  - ☒ (b) report immediately to the Pretrial Services Agency following your release from custody;
  - ☒ (c) reside with your stepfather/third party custodian at a location approved by the pretrial services officer and not change your residence without the prior approval of the pretrial services officer;
  - ☒ (d) report any contact with law enforcement to your pretrial services officer within 24 hours;
  - ☒ (e) cooperate in the collection of a DNA sample;
  - ☒ (f) restrict your travel to the Eastern District of California unless otherwise approved in advance by the pretrial services officer;
  - ☒ (g) not associate or have any direct or indirect contact with any victims, (M.M., A.D., and A.D.), which includes via email, social media, phone, text, or through a third party;
  - ☒ (h) not view or possess child pornography as defined by 18 USC 2256(8), except in the presence of your attorney to prepare for your defense;
  - ☒ (i) not use or possess any narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you must notify Pretrial Services immediately of any prescribed medication(s). However, medicinal marijuana prescribed and/or recommended may not be used;
  - ☒ (j) not possess, have in your residence, or have access to a firearm/ammunition, destructive device, or other dangerous weapon; additionally, you must provide written proof of divestment of all firearms/ammunition, currently under your control;
  - ☒ (k) refrain from excessive use of alcohol;
  - ☒ (l) submit to drug and/or alcohol testing. You must pay all or part of the costs of the testing services based upon your ability to pay, as determined by the pretrial services officer. You must not tamper, obstruct, or attempt to tamper or obstruct the efficiency and accuracy of the drug screening/testing;
  - ☒ (m) not access the Internet and you must provide proof that all internet capable devices inside your residence are password protected to prohibit your access and use;
  - ☒ (n) not associate or have verbal, written, telephonic or electronic communication with any person who is under the age of 18, except in the presence of another adult who is the parent or legal guardian of the minor;
  - ☒ (o) participate in a program of medical or psychiatric treatment including treatment for drug or alcohol dependency, or individual specialized treatment, as determined by the pretrial services officer; you must pay all or part of the costs of the counseling services based upon your ability to pay, as determined by the pretrial services officer;
  - ☒ (p) take all medications as prescribed by a licensed medical practitioner;
  - ☒ (q) report any prescriptions by a licensed medical practitioner to the pretrial services officer within 48 hours of receipt;
  - ☒ (r) not use or possess a computer or any device capable of accessing the Internet in your residence or at any other location unless otherwise approved by the pretrial services officer;
  - ☒ (s) not apply for or obtain a passport or any other travel documents during the pendency of this case;
  - ☒ (t) not loiter or be found within 100 feet of any school yard, park, playground, arcade, movie theater, or other place primarily used by children under the age of 18;
  - ☒ (u) participate in the following Location Monitoring program component and abide by all the requirements of the program, which will include having a GPS device attached to your person. You must comply with all instructions for the use and operation of said devices as given to you by the Pretrial Services Agency and employees of the monitoring company. You are responsible for the management of the equipment, and you must charge the battery daily. You must pay all or part of the costs of the program based upon your ability to pay as determined by the pretrial services officer.
  - ☒ **Home Incarceration.** You must remain inside your residence at all times except for medical needs or treatment, religious services, and attorney meetings and court appearances pre-approved by the pretrial services officer; and.

### USMS SPECIAL INSTRUCTIONS:

- ☒ (v) have your release on bond delayed until Monday, May 5, 2025, at 8:30 am, at which time you must report directly to the Pretrial Services office in Fresno for the installation of the location monitoring equipment.

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT: **PRESTON NELSON-KESTNER**

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Preston Nelson-kestner

*Defendant's Signature*

**Directions to the United States Marshal**

( ☐ ) The defendant is ORDERED released after processing.

Date: 5/2/25



*Judicial Officer's Signature*

**BARBARA A. MCAULIFFE, U.S. MAGISTRATE JUDGE**

*Printed name and title*